

In re Patent Application of  
PAU ET AL.

Serial No. 09/390,554

Filed: SEPTEMBER 3, 1999

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REMARKS

Applicants thank the Examiner for the careful and thorough examination of the present application and for allowing independent Claims 8 and 12.

Independent Claims 5, 9, and 13 have been amended to incorporate the subject matter of dependent Claims 6, 10, and 14, respectively. For consistency, Applicants have amended dependent Claims 7 and 11 and have canceled dependent Claims 6, 10, and 14. Applicants have amended independent Claim 8 to correct a typographical error and have added independent Claim 15. Applicants submit that no new matter is being added.

Based on the arguments and amendments presented, Applicants submit that all claims are patentable.

I. The Claims Recite Patentable Subject Matter

The Examiner rejected Claims 5-7, 9-11, 13, and 14 under 35 U.S.C. §101 contending that the claims recited non-statutory subject matter. The Examiner also contends that the recitation of calculating, in parallel, the DCT of  $2^i$  range blocks of a domain block of  $N \times N$  pixels of the image is merely a mathematical computation of one set of numbers to another set of numbers. In making this rejection, the Examiner relied upon the Supreme Court of the United States decision of *Gottschalk v. Benson*, 409 U.S. 63 (1972).

Applicants submit that amended independent Claims 5, 9, and 13 are directed to statutory subject matter and recite calculating the discrete cosine transform (DCT) of blocks of pixels of an image for compressing image data to be stored or

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transmitted. Unlike the claims addressed in *Gottschalk*, which were directed to a mathematical formula with no substantial practical application, independent Claims 5, 9, and 13 are directed to the processing of an image for storage or transmission. Applicants submit that Claims 5, 9, and 13 are directed to the practical application of processing an image for storage or transmission. Accordingly, independent Claims 5, 9, and 13 are directed toward statutory subject matter.

## II. Claims 9-11 Are Clear and Definite

The Examiner rejected Claims 9-11 under 35 U.S.C. §112 ¶2, contending that the claims failed to particularly point out and distinctly claim the subject matter of the present invention. More particularly, the Examiner contends that the means plus language of the claims creates uncertainty as to what Applicants regard as the invention since there is no corresponding structure in the specification to support these recitations.

Applicants direct the Examiner to Figures 6, 9, and 12-24, all of which disclose structure supporting the claimed invention. Moreover, Applicants point the Examiner to pages 37-41 of the present application's specification, which further describe the structure of the claimed invention. Accordingly, Applicants submit that Claims 9-11 are clear and definite.

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### III. The Claims Are Patentable

The Examiner rejected former independent Claims 5, 9, and 13 over the Zhao et al. reference in view of the Feig et al. patent. Applicants note that the Examiner did not substantively reject dependent Claims 6, 10, and 14. Since independent Claims 5, 9, and 13 have been amended to incorporate the allowable subject matter of dependent Claims 6, 10, and 14, respectively, independent Claims 5, 9, and 13 are patentable over the prior art. New independent Claim 15 recites an array of adders, subtractors and multipliers and a plurality of path selectors and multiplexers for configuring the array according to a selected value of said integer  $i$ , for calculating the DCT on either the undivided domain block of  $N*N$  pixels or, in parallel, on the range blocks of subdivisions of the domain block. The cited references do not teach this recitation of Claim 15.

Accordingly, independent Claims 5, 9, 13, and 15 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

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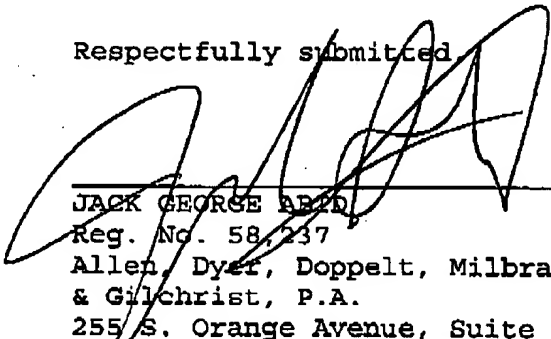
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CONCLUSIONS

In view of the amendments to the claims and the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 571-273-8300 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 18<sup>th</sup> day of December, 2006.

